

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Group Art Unit 1617

In re Patent Application of

Charles W. Bishop, et al.

Application No. 09/753,697

Confirmation No.: 1609

Filed: January 3, 2001

Examiner: Theodore J. Criares

I, Sally Sorensen, hereby certify that this correspondence is being deposited with the US Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date of my signature.

Signature

Sally Sorensen

Date of Signature

February 20, 2004

24-HYDROXYVITAMIN D, ANALOGS AND
USES THEREOF

RECEIVED

MAR 02 2004

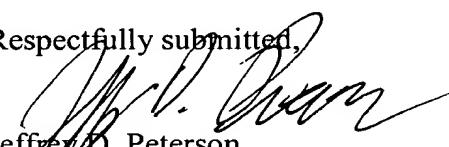
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Terminal Disclaimer for the above-titled patent application along with a check in the amount of \$55.00 in payment of the fee required under 37 CFR 1.20(d).

Charge or credit Deposit Account No. 50-0842 with any shortage or overpayment of the above fee. A duplicate of this sheet is enclosed.

Respectfully submitted,


Jeffrey D. Peterson
Reg. No. 49,038

File No. 017620-9316
Michael Best & Friedrich LLP
One South Pinckney Street
P. O. Box 1806
Madison, WI 53701-1806
(608) 257-3501



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Group Art Unit 1617

In re

Patent Application of

Charles W. Bishop, et al.

Application No. 09/753,697

Confirmation No.: 1609

Filed: January 3, 2001

Examiner: Theodore J. Criares

"24-HYDROXYVITAMIN D, ANALOGS AND
USES THEREOF"

I, Sally Sorensen, hereby certify that this correspondence is being deposited with the US Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date of my signature.

Signature

Sally Sorensen

February 20, 2004

Date of Signature

RECEIVED

MAR 02 2004

**TERMINAL DISCLAIMER TO OBVIATE DOUBLE PATENTING REJECTION
OVER A PRIOR PATENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Bone Care International, Inc., located at 1600 Aspen Commons Middleton, WI 53561 (hereinafter "Assignee"), by its undersigned attorney of record, represents that it is the owner of the entire interest in the above-identified application (hereinafter "said Application") by virtue of an assignment recorded 10/19/1998, at Reel 9545, Frames 0900. Assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on said Application, beyond the expiration date of the full statutory term of U.S. Patent No. 6,242,434 (hereinafter "said U.S. Patent"). Assignee hereby agrees that any patent granted on said Application shall be enforceable only for and during such period that the legal title of the patent granted on said Application should be the same as the legal title to said U.S. Patent. This agreement shall run with any patent granted on said Application and be binding upon the grantee, its successors or assigns. In making the above

disclaimer, Assignee does not disclaim any terminal part of the patent granted on said Application prior to the expiration date of the full statutory term of said U.S. Patent, in the event that said U.S. Patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its statutory term.

The undersigned is empowered to act on behalf of Assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: February 20, 2004

By:


Jeffrey D. Peterson
Reg. No. 49,038
Attorney of Record

Attorney Docket No.: 17620-9316

Michael Best & Friedrich LLP
One South Pinckney Street
P. O. Box 1806
Madison, WI 53701-1806
(608) 257-3501